

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BILLY JOE WHITTINGTON and :  
PATRICIA WHITTINGTON, :  
: Plaintiffs, :  
vs. : CIVIL ACTION 09-0352-KD-M  
: :  
ROBERT WILKINS, *et al.*, :  
: Defendants. :

ORDER

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is ORDERED that Plaintiffs' Motion to Remand (Docs. 5-6) be GRANTED and that this action be REMANDED to the Mobile County Circuit Court.

DONE this 23rd day of September, 2009.

s/ Kristi K. DuBose  
KRISTI K. DUBOSE  
UNITED STATES DISTRICT JUDGE